

02-10-05

IFW

Docket No: AM100986
Patent

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Ronald Charles Bernotas et al.
Application No.: 10/621,698 Group Art No.: 1625
Filed: July 17, 2003 Examiner: Chang, Celia C
For: 1-HETEROCYCLYLALKYL-3-SULFONYLINDOLE OR -INDAZOLE
DERIVATIVES AS 5-HYDROXYTRYPTAMINE-6 LIGANDS
Confirmation No.: 1509
Customer Number: 25291

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT TRANSMITTAL LETTER

1. Enclosed please find the following documents for the above-identified application:

Response to Office Action mailed on November 10, 2004

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV100496145US addressed to the Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

February 9, 2005
Date

Carole K. Kamrad
Carole K. Kamrad

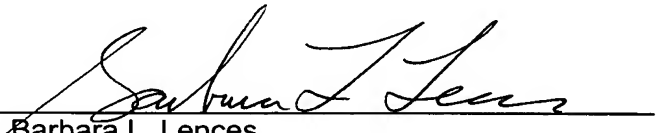
2. Fee calculation

CLAIMS AS AMENDED					
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) HIGHEST NUMBER PAID FOR	(4) NUMBER EXTRA x RATE		(5) ADDITIONAL FEE
TOTAL CLAIMS	14	20	0	x \$ 50.00	0.00
INDEPENDENT CLAIMS	3	4	0	x \$ 200.00	0.00
MULTIPLE DEPENDENCY FEE				\$ 360.00	
				Total Amendment Fee:	\$0.00

☒ Please charge Deposit Account No. 01-1425 for: \$0.00

The Commissioner is hereby authorized to charge any additional fees required by this paper, including the enclosed documents, and during the entire pendency of this application and to credit any excess amounts paid to Deposit Account No. 01-1425. A copy of this letter is enclosed for use by the Deposit Account Branch.

Respectfully submitted,


Barbara L. Lences
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AMENDMENT

In response to the office action dated November 10, 2004, please consider the following remarks.

REMARKS

The present invention provides 1-heterocyclylalkyl-3-sulfonylindole derivatives of formula I and the therapeutic use thereof for the treatment of central nervous system disorders related to or affected by the 5-hydroxytryptamine-6 receptor.

Claims 1-8 and 15-20 are pending.

Claims 1-8 and 15-20 have been rejected under 35 U.S.C. § 103(a), and under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over Bernotas et al, US 6,727,246 ('246). Examiner contends the formula I compounds of the

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